

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Robert H. GETZENBERG

Title: RENAL NUCLEAR MATRIX PROTEINS,  
POLYNUCLEOTIDE SEQUENCES ENCODING THEM,  
AND THEIR USE

Appl. No.: 10/713,149

Filing Date: 11/17/2003

Examiner: Peter J. Reddig

Art Unit: 1642

Confirmation Number: 9439

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, University of Pittsburgh, having its principal place of business at 200 Gardner Steel Conference Center, Thackeray & O'Hara Streets, Pittsburgh, Pennsylvania 15260, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/713,149, filed 11/17/2003, which is a continuation of 09/850,128 filed May 8, 2001, which is a divisional of U.S. Patent Application No. 09/050,991, filed March 31, 1998, by virtue of an Assignment filed and recorded on March 31, 1998, on Reel/Frame 009478/0875, in the United States Patent and Trademark Office. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,232,443 which issued on U.S. Patent Application No. 09/050,991 filed March 31, 1998, by virtue of the same Assignment recorded on March 31, 1998 on Reel/Frame 009478/0875 in the United States Patent and Trademark Office.

Your Petitioner, University of Pittsburgh, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,232,443, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,232,443 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,232,443 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,232,443 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,232,443 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,232,443, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignment, and to the best of his knowledge and belief, legal title to the

above identified patent application and U.S. Patent 6,232,443 rests with Petitioners, University of Pittsburgh. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date 10 December 2008

By S. A. Bent

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768